Approved For Release 2002/01/02 : CIA-RDP59-00882R000200330120-8

OGC Has Reviewed

20 March 195[illegible]

Memorandum To: Executive Secretary, CIA Honor Awards Board

Subject : Awarding of CIA Honor Awards to Military Personnel

Reference : Your memorandum of 22 March 195[illegible]

1. In the referenced memorandum, you requested of this office an opinion as regards the following questions: (a) "May the Director officially bestow...medals upon deserving members of the Armed Services who are detailed to this Agency and who act in its behalf?"; and (b) "Regardless of whether the several regulations of the Armed Services permit the wearing of such a medal with the uniform or not, is an officer or enlisted man on active duty legally entitled to accept from the Director...a medal; and may he wear it or its insignia with civilian dress at such times as the regulations of his service permit him to appear in civilian attire?" These questions you raised in the context of those provisions of Public Law 600, 79th Congress, 2nd Session, August 2, 1946 (60 Stat. 806, 50 USCA 73(b)) and Executive Order Number 9817 (12 F.R. 57) authorizing heads of departments and agencies to "incur necessary expenses for the honorary recognition of exceptional or meritorious service."

2. From a review of the statute and its implementing Executive Order, this office perceives no legal objection as such to the awarding of CIA medals to deserving military personnel who are "detailed to this Agency and who act in its behalf." But it is our thought that, as a matter of policy, the granting of such awards should be discussed with the parent service of the individual concerned. This would follow from the consideration that a member of one of the armed services primarily is the 'property', if you will, of his parent service. Such services we feel to have a legitimate interest in the receipt of awards by its personnel from an outside agency or department. The complete extent of this interest we are not prepared to define.

3. As to the second question we have reviewed a considerable number of laws and implementing regulations having to do, respectively, with the receipt by service personnel of decorations and awards from other than the armed services of the United States and with the wearing of civilian clothes by service personnel. From the legal point of view, we have been unable to find anything which would seem to prohibit a member of one of the armed services either from receiving a decoration

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or award from this Agency, or from wearing the insignia of such an award on his civilian clothing. However, in line with the general thinking set out in the preceding paragraph, we believe that this is a matter of primary concern to the service involved. Accordingly, we suggest consultation with them

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[redacted]

Office of General Counsel

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